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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/419,300	10/15/99	KIM	P F55862

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TM02/0628

EXAMINER

ABDULSELAM, A

ART UNIT

PAPER NUMBER

2674

DATE MAILED:

06/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/419,300

Applicant(s)

Phil-Tae Kim

Examiner

Abbas Abdulsalam

Group Art Unit

2674



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections 35 U.S.C. 102

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35U.S.C. 103(a) as being unpatentable over Sukurai (USPN 5581685) in view of Miyashita(USPN 6186630)

Regarding claims 1, 4 and 8, Sakurai teaches about displaying a menu, and submenu with area indicators. See Column 9, line 46-56, and Fig 13A. Sakurai teaches about displaying a menu in connection with menu items selection process (S4), and the process of loading and displaying a submenu (S11). Moreover, Sakurai teaches that selection can be made using function keys in order to control the pages of the menu on a screen. See Column 9, line 24-30, line 42-46, line 57-63, and Fig 12. Sakurai teaches about the executing command and the display of a submenu (14) based on a menu display definition file. See column 6, line 25-34, and Fig 5-6. However, Sakurai does not teach about a remote controller with a trackball for controlling the movement of an indicator. Miyashita on the other hand teaches about a remote controller with a trackball (28a) for controlling a display position of a pointer. See Column 5, line 1-6, and Figure 3.

Regarding claims 2, 5, 14, it has been discussed above.

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Regarding claim 3, 6, 7, 11, 12, and 15 Miyashita teaches about an enlargement of an image, and changing the position of a cursor using a remote controller. See Column 3, line 10-17.

Regarding claims 9-10, Miyashita teaches about a projection system where the position of the pointer can be controlled apart from main control means. Miyashita further teaches that an operator can freely control the display position of the position mark by operating a hand-held remote controller. See Column 1, line 52-56, and Column 3, 5-10.

Regarding claim 13, see Fig3 (28a 28b).

Regarding claim 16, Miyashita teaches an equivalent screen display, See 13A-B.

Regarding claim 17, Miyashita teaches about operating section (400), trackball (28a), menu button (22e, 22j), adjust button (28c), freeze button (22d) and other functions (24a, 24b, 24c). See figure 3. Furthermore, Miyashita teaches about wireless receiver means (14a, 14b) with limited receiving ranges.

Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify sakurai's menu system to include Miyashita's remote controller with all of its features. One would have been motivated in view of the suggestion in Miyashita that the desired manually operated remote controller is equivalent to Miyashita's remote controller, and the use of which helps for wirelessly transmitting an operation signal as taught by Miyashita.

Conclusion

2. The prior art made of record and not relied upon is considered to applicant's disclosure. The following arts are cited for further reference.

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U.S. Pat No. 5,760,776 to McGurrin et al.

U.S. Pat No. 5,988,851 to Gent

U.S. Pat No. 5,999,730 to Lewis

3. Any response to this actions should be mailed to

Commissioner of Patents and trademarks.

Washington, D.C. 20321

Any inquires concerning this matter should be addressed to Abbas Abdulsalam Tel. (703) 305-8591. The examiner can normally be reached on Monday through Friday (9:00-5:30).

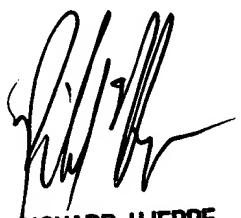
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (703) 305-4709. The fax number for the organization where this application or proceeding is assigned is (703) 308-6306.

Any inquires of a general nature to the status of this application should be sent directly to the receptionist whose telephone number is (703) 305-4700.

Abbas Abdulsalam

Examiner

Art Unit 2674


RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600